Utah State Courts

Utah Office of Guardian ad Litem & CASA

2015 Annual Report

OFFICE OF GUARDIAN AD LITEM

In FY2013, the Office of Guardian ad Litem was asked to develop performance measures and to report on those measures annually to the Executive Offices and Criminal Justice Subcommittee. In FY2014, the Office of Guardian ad Litem developed these Standards and Performance Measures and they were approved by the Executive Offices and Criminal Justice Subcommittee. The approved Standards and Performance Measures, as well as supporting FY2015 data, are listed below.

STANDARDS & PERFORMANCE MEASURES

Standard 1:

GAL Attorneys shall be competent and knowledgeable attorneys and shall participate in training that addresses issues surrounding abuse and neglect, as well as improving legal skills.

Performance Measure 1:

The Office of GAL will measure the participation of GAL attorneys in the required trainings, as well as attorney satisfaction in the subject matter of the provided trainings.

Performance Measure I FY15:

In FY15, the Office of GAL provided GAL attorneys access to the following trainings: GAL Annual Conference; Joining Forces to Prevent Child Abuse Conference; Court Improvement Summit; Substance Abuse Conference; Troubled Youth Conference; and the Children's Justice Center Annual Symposium. These trainings provided valuable information about issues related to abuse and neglect; mental health; and substance abuse, and helped improve the advocacy skills of our attorneys.

Standard II:

GAL attorneys shall have caseloads that allow them to adequately represent their clients.

Performance Measure II:

The Office of GAL will measure the average number of children being represented by GAL attorneys during the fiscal year.

Performance Measure II FY15:

In FY15, GAL attorneys had on average 131 children on their caseload at any given time. This number is decreasing in part to authorization by the legislature to reallocate resources within the Office of GAL. An additional attorney was hired in the 3rd District Salt Lake City office, 4th District Provo office, and 5th District Cedar City office.

Standard III:

GAL attorneys shall ensure that the children they represent are present in court and able to participate when appropriate.

Performance Measure III:

The Office of GAL will measure the number of children attending post-adjudication hearings as specified in Utah Code section 78A-6-305; or if not attending, the reason why the child is not in attendance.

Performance Measure III FY15:

In FY15, more than 50% of children attended and participated in their court hearings. The most common reasons for children not attending their court hearing is that it is impractical for the child to attend, or it was detrimental for the child to attend. The Office of GAL continues to work with the courts and community partners to increase the presence of our clients in court, especially older youth.

Standard IV:

GAL attorneys shall ensure that there is appellate review for decisions affecting their clients

Performance Measure IV:

The Office of GAL will measure the number of appeals initiated, as well as participated in, by GAL attorneys.

Performance Measure IV FY15:

In FY15, The Office of GAL participated in 102 appeals on behalf of our clients. We also staffed many other cases to determine the efficacy of an appeal.

Standard V:

GAL attorneys will complete an independent investigation and communicate regularly with their clients.

Performance Measure V:

The Office of GAL will measure the number of completed independent investigations by GAL attorneys, including non-client contacts; measure the number of client contacts by GAL attorneys, as well as the frequency of those contacts.

Performance Measure V FY15:

In FY15, the Office of GAL attorneys engaged in 54,034 activities in order to complete an independent investigation on behalf of the 10,824 children we represented. Our GAL attorneys also met with these children 29,461 times. During these communications with our clients, especially older youth, GAL attorneys explained the court process, obtained the clients wishes and identified services with the clients to assist them with returning home or finding another permanent placement.

Standard VI:

GAL attorneys shall ensure clients and their families receive appropriate services to keep children safely with their families or reunite them whenever practical by attending court hearings and participating in Family Team Meetings.

Performance Measure VI:

The Office of GAL will measure the number of hearings attended by GAL attorneys and the number of Family Team Meetings in which GAL attorneys participated.

Performance Measure VI FY15:

In FY15, Office of GAL attorneys attended 36,109 hearings on behalf of our clients. During those hearings, our attorneys informed the court about the steps they had taken to prepare for the hearing, their recommendations, including what was in the best interest of the child, as well as the child's wishes, and the basis for their recommendations. Our attorneys also participated in 7,562 Family Team Meetings where we advocated for services for our clients and their families. Finally, in an attempt to resolve the issues before the court, as well as giving families a voice in the legal process, our GAL attorneys attended 2,072 mediations.

Standard VII:

GAL attorneys shall be provided with and shall use technology in order to be more efficient, and to move towards a paperless practice.

Performance Measure VII:

The Office of GAL will measure the use of E-filing by GAL attorneys in both juvenile and district court, the use of the VOICE database, as well as a shared document library on Google, by GAL attorneys.

Performance Measure VII FY15:

In FY15, all Office of GAL pleadings in the District Court were E-filed. The projected date for E-filing in the Juvenile Court is December of 2015. The Office of GAL is prepared to pilot E-filing in the Juvenile Court starting in September 2015. Our VOICE database already interfaces with the court's database system and as such, we are in a position to transition in a seamless manner. Finally, all of our GAL attorneys have appropriate technology and equipment such as, tablets, laptops, and smart phones. This allows them to access systems wherever they are, to maximize their time and to continue to move towards a paperless practice.

PRIVATE GUARDIAN AD LITEM PROGRAM

In FY15, the Private Guardian ad Litem program continued to expand. We currently have 139 private attorneys who have accepted over 208 cases this past year. Jennifer Spangenberg, our Private Guardian ad Litem Coordinator, continues to support these private attorneys by responding to questions, providing guidance, and attending hearings when necessary. Also, the Best Practice Guidelines were expanded significantly, in order for PGALs to be better equipped to handle these difficult cases.

We continue to update our website monthly to keep the list of available Private Guardian ad Litem attorneys as well as the collection of pleadings that attorneys can use and modify up to date. Finally, in an effort to assist the private attorneys comply with CJA R4-906, the Office of GAL has hosted sessions of Continuing Legal Education, and is in the process of making them available on our website for attorneys that are not able to participate in person.

COURT APPOINTED SPECIAL ADOVCATE (CASA) PROGRAM

The CASA program is a highly valued resource for the Office of GAL. During FY15, 776 volunteer advocates served 1274 children and donated 37,264 hours. Advocates are appointed pursuant to U.C.A. § 78A-6-902, subsection (4) (a) that states:

"An attorney guardian ad litem may use trained volunteers, in accordance with U.C.A. § 67-20-1 et seq...to assist in investigation and preparation of information regarding the cases of individual minors before the court."

CASA volunteers are assigned to an individual case and gather information for the GAL attorneys by visiting consistently with child clients, attending child and family team meetings and court hearings, and tracking the child's progress in school. In addition, these advocates ensure that the child is receiving needed services and is in a safe, nurturing environment by monitoring court orders and reporting to the GAL attorney.

CASA volunteers are carefully screened; they receive a background check and are provided with 32 hours of pre-service training and 12 hours of annual in-service training. Research conducted by the National CASA Association has found that children with CASA volunteers do better in school, spend less time in the foster care system, are less likely to re-enter foster care, and are more likely to have a consistent, responsible, adult present than other children in care.

UTAH'S FRIENDS OF CASA

Utah's Friends of CASA is a 501(c) (3) nonprofit organization that supports the CASA program by providing supplemental funding for volunteer recruitment, training and retention. This past year, the Utah's Friends of CASA Board assisted in funding participation at the National CASA Conference for 10 of our CASA Coordinators.